

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1, 3-12, 14-23, 25-36, 38-41, and 43-55 are pending in the present application, Claims 1, 7, 12, 18, 23, 29, 48, and 49 having been amended. Support for the amendments to Claims 1, 7, 12, 18, 23, and 29 is found, for example, in Fig 6 of the present application. Claims 48 and 49 are amended to correct a grammatical informality. Applicant respectfully submits that no new matter is added.

In the outstanding Office Action, Claims 1, 3-11, 50, and 51 were rejected under 35 U.S.C. §103(a) as unpatentable over Honma (U.S. Patent No. 6,304,313) in view of Safai et al. (U.S. Patent No. 6,167,469, herein Safai), in view of Nemoto (JP 9-23375), and further in view of Katayama et al. (U.S. Patent No. 6,389,179, hereinafter Katayama); Claims 12, 14-23, 25-33, and 52-55 were rejected under 35 U.S.C. §103(a) as unpatentable over Honma in view of Safai, Nemoto, Fellegara et al. (U.S. Patent Publication No. 2001/0015760), and Katayama; Claims 36 and 38 were objected to for depending from a rejected claim, but were otherwise indicated as including allowable subject matter; and Claims 34, 35, 39-41, and 43-49 were allowed.

Applicant thanks the Examiner for the indication of allowable subject matter.

Applicant thanks the Examiners for the courtesy of an interview extended to Applicant's representatives on January 9, 2007. During the interview, differences between the present invention and the applied art, and the rejections noted in the outstanding Office Action were discussed. Applicant's representative also discussed a proposed amendment to the rejected independent claims. The Examiner agreed that Honma and Safai did not disclose the subject matter of the proposed claim. However, no agreement as to allowability was reached as the amended form of the claims required further searching. The independent

claims are amended as discussed during the interview. Arguments presented during the interview are reiterated below.

With respect to the rejection of Claim 1 as unpatentable over Honma, Safai, Nemoto, and Katayama, Applicant respectfully submits that the amendment to Claim 1 overcomes this ground of rejection. Amended Claim 1 recites, *inter alia*, “a transmission destination unit which selects a destination to transmit the image data to, said destination being one of a facsimile machine or an email address; and an image processing unit which performs image processing to the image data, the image processing being different for the email address and the facsimile machine.”

Honma discloses a document scan system that includes a digital camera. A CPU 17 monitors the operation of each portion of the digital camera and controls them so that certain processes (perspective correction and text combining) are executed.¹ Different processing is applied based on the sensed image, e.g., a landscape, a seascape, or a portrait.² Thus, different processing depends on the characteristics of the image. However, the claimed invention performs different processing based on the determined destination that the image data is going to be transmitted to. As recited in amended Claim 1, different processing is performed for the email address and the facsimile machine.

Safai discloses a digital camera that enables a user of the camera to send one or more digital images to one or more destinations.³ However, the one ore more destinations is only multiple email address or a postal mail address.⁴ Safai does not disclose or suggest sending image data to a facsimile machine.

Furthermore, Safai does not disclose or suggest that different processing is applied for an email address and a facsimile machine.

¹ Honma, col. 3, line 43 to col. 4, line 1.

² Honma, col. 6, lines 2-3.

³ Safai, Abstract.

⁴ Safai, col. 8, lines 61-67.

Nemoto discloses that an image quality mode is switched depending on the case where a person in conference is photographed during a video conference and the obtained image is transmitted and on the case where a document and the like are photographed and the obtained image is transmitted.⁵ Thus, Nemoto discloses that image processing varies according to the content of the data (i.e., image of a person vs. image of a document).

Nemoto does not disclose or suggest that processing varies according to destination (i.e., email address vs. facsimile machine).

Katayama is directed an image combining apparatus for generating a single image by combining a plurality of sensed images.⁶ Katayama does not disclose or suggest “a transmission destination unit which selects a destination to transmit the image data to, said destination being one of a facsimile machine or an email address; and an image processing unit which performs image processing to the image data, the image processing being different for the email address and the facsimile machine.”

Furthermore, Fellegara does not cure the above-noted deficiencies in Honma, Safai, Nemoto, and Katayama. Fellegara does not disclose or suggest “a transmission destination unit which selects a destination to transmit the image data to, said destination being one of a facsimile machine or an email address; and an image processing unit which performs image processing to the image data, the image processing being different for the email address and the facsimile machine.”

In view of the above-noted distinctions, Applicant respectfully submits that Claim 1 (and any claims dependent thereon) patentably distinguish over Honma, Safai, Nemoto, Katayama, and Fellegara, taken alone or in proper combination. Amended Claims 7, 12, 18, and 23 recite elements analogous to those of amended Claim 1. Thus, Applicants respectfully submit that amended Claims 7, 12, 18, and 23 (and any claims dependent thereon) patentably

⁵ Nemoto, partial English translation, paragraph [0037].

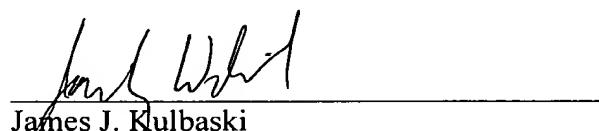
⁶ Katayama, Abstract.

distinguish over Honma, Safai, Nemoto, Katayama, and Fellegara, taken alone or in proper combination, for at least the reasons stated for Claim 1.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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